

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 22-CR-88

DONTE MOSS,

Defendant.

ORDER DENYING MOTION FOR PROBATION INTERVIEW

On July 20, 2023 Defendant Donte Moss pled guilty to one count of Conspiracy to Distribute and Possess with Intent to Distribute a Controlled Substance, in violation of 21 U.S.C. § 841(b)(1)(B) and 18 U.S.C. § 2(a), and one count of Knowingly Possessing a Machine Gun with a Machine Gun Conversion Device, in violation of 18 U.S.C. §§ 922(o) and 924(a)(2), and was sentenced on to 108 months in the custody of the Bureau of Prisons. Now before the Court, some 3.5 years later, Defendant filed a motion asking the Court to direct the Probation Office to interview him for possible eligibility for the Bureau of Prisons 500 Hour Residential Drug Abuse Program (RDAP). The motion is denied.

This case is closed, and the Court has no authority to direct probation to conduct a Presentence investigation more than 3 years after the defendant has been sentenced. If Defendant has any authority to the contrary, he is free to renew his motion. Absent such authority, his motion is denied.

Dated at Green Bay, Wisconsin this 17th day of December, 2024.

s/ William C. Griesbach
William C. Griesbach
United States District Judge